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October 11, 2023

**Via CM/ECF**

The Honorable United States Magistrate Judge Ramon E. Reyes, Jr.  
United States District Court, Eastern District of New York  
225 Cadman Plaza East, Room 1217S  
Brooklyn, New York 11201

Re: *Mirkin, et al. v. XOOM Energy, LLC, et al.*; No. 1:18-civ-2949 (ARR) (RER)

Dear Judge Reyes:

The parties write to inform the Court that they have reached an agreement regarding Plaintiff's letter motion to compel XOOM to make a production of updated class charge data within ten days. ECF No. 157. Specifically, Plaintiff has agreed to XOOM's proposal that, absent a stay or decertification, XOOM will make a single production of updated class charge data as of January 1, 2024, produced by no later than March 1, 2024. Accordingly, Plaintiff withdraws her letter motion to compel, ECF No. 157, and XOOM withdraws its motion for protection and Rule 37 request for fees, ECF No. 158.

The parties appreciate the Court's attention to this matter.

Respectfully Submitted,

/s/ Michael D. Matthews, Jr.

Michael D. Matthews, Jr.

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